FILED
OCT 7 1971
E. ROBERT SEAVER, CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1971

No: 71-212

HOOVER ACADEMY,

Petitioner,

v.

REBECCA WRIGHT, et al.,

Respondents.

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The respondents, Pearlie Davis, Rebecca Wright, Ben Waller, and Gus Dickerson, by their undersigned counsel, ask leave to file their Brief in Opposition to the Petition for Writ of Certiorari filed herein in typewritten form and to proceed in forma pauperis pursuant to Rule 53.

The respondents' affidavits in support of this motion are attached hereto.

Respectfully submitted,

Charles S. LaSty

JACK GREENBERG
JAMES M. NABRIT, III
CHARLES STEPHEN RALSTON
NORMAN CHACHKIN
10 Columbus Circle
New York, New York 10019

DAVID H. HOOD, JR.
2111-Fifth Avenue, North
Bessemer, Alabama 35020

DEMETRIUS C. NEWTON
408 North 17th Street
Birmingham, Alabama 35203

Attorneys for Respondents

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF ALABAMA)
) ss.:
JEFFERSON COUNTY)

I, Rebecca Wright, being first duly sworn according to law, do depose and say, in support of my motion for leave to proceed without being required to prepay costs or fees:

1. I am one of the respondents in the above-entitled case.

2. Because of my poverty I am unable to pay the costs of said cause.

3. I am unable to give security for the same.

4. I believe that I am entitled to the redress I seek in said case.

5. The nature of said cause is briefly stated as follows: This is an action brought under the federal civil rights acts by myself and my fellow respondents to redress the violation of our constitutional rights caused by the sale of public property to

a segregated all-white private school. We prevailed in the United States Court of Appeals for the Fifth Circuit, which has occasioned the petition for writ of certiorari filed by the defendant Hoover Academy.

Rebecca Wright
REBECCA WRIGHT

Sworn to and subscribed before me
this ___ day of September, 1971

Notary Public
NOTARY PUBLIC

IN THE

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OCTOBER TERM 1971

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF ALABAMA)
) ss.:
JEFFERSON COUNTY)

I, Ben Waller, being first duly sworn according to law, do depose and say, in support of my motion for leave to proceed without being required to prepay costs or fees:

1. I am one of the respondents in the above-entitled case.

2. Because of my poverty I am unable to pay the costs of said cause.

3. I am unable to give security for the same.

4. I believe that I am entitled to the redress I seek in said case.

5. The nature of said cause is briefly stated as follows: This is an action brought under the federal civil rights acts by myself and my fellow respondents to redress the violation of our constitutional rights caused by the sale of public property to

a segregated all-white private school. We prevailed in the United States Court of Appeals for the Fifth Circuit, which has occasioned the petition for writ of certiorari filed by the defendant Hoover Academy.

BEN WALLER

Sworn to and subscribed before me
this 30th day of September, 1971.

NOTARY PUBLIC

IN THE

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OCTOBER TERM 1971

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF ALABAMA)
) ss.:
JEFFERSON COUNTY)

I, Pearlie Davis, being first duly sworn according to law, do depose and say, in support of my motion for leave to proceed without being required to prepay costs or fees:

1. I am one of the respondents in the above-entitled case.

2. Because of my poverty I am unable to pay the costs of said cause.

3. I am unable to give security for the same.

4. I believe that I am entitled to the redress I seek in said case.

5. The nature of said cause is briefly stated as follows: This is an action brought under the federal civil rights acts by myself and my fellow respondents to redress the violation of our constitutional rights caused by the sale of public property to

a segregated all-white private school. We prevailed in the United States Court of Appeals for the Fifth Circuit, which has occasioned the petition for writ of certiorari filed by the defendant Hoover Academy.

Pearlie Davis
PEARLIE DAVIS

Sworn to and subscribed before me
this 30th day of September, 1971

Phyllis Jean Scott
NOTARY PUBLIC

IN THE

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OCTOBER TERM 1971

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

STATE OF ALABAMA)
) ss.:
JEFFERSON COUNTY)

I, Gus Dickerson, being first duly sworn according to law, do depose and say, in support of my motion for leave to proceed without being required to prepay costs or fees:

1. I am one of the respondents in the above-entitled case.

2. Because of my poverty I am unable to pay the costs of said cause.

3. I am unable to give security for the same.

4. I believe that I am entitled to the redress I seek in said case.

5. The nature of said cause is briefly stated as follows: This is an action brought under the federal civil rights acts by myself and my fellow respondents to redress the violation of our constitutional rights caused by the sale of public property to

a segregated all-white private school. We prevailed in the United States Court of Appeals for the Fifth Circuit, which has occasioned the petition for writ of certiorari filed by the defendant Hoover Academy.

Gus Dickerson
GUS DICKERSON

Sworn to and subscribed before me
this 8th day of September, 1971.

Patricia Z. [illegible]
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I, CHARLES STEPHEN RALSTON, hereby certify that I am a member of the Bar of the Supreme Court of the United States of America, and that I have served copies of the Motion for Leave to Proceed in Forma Pauperis in the above cause by mailing copies of the same to the attorneys for petitioner, air mail, postage prepaid, addressed as follows:

Norman K. Brown, Esq.
Realty Building
Bessemer, Alabama

Attorney for the City of Brighton

Hugh Locke, Esq.
923 Frank Nelson Building
Birmingham, Alabama

Attorney for Petitioner Hoover Academy

All parties required to be served have been served.

Dated: ~~September~~ October 6, 1971.

Charles S. Ralston
Attorney for Respondents